




U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
ENTERED
TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.


United States Bankruptcy Judge

Signed December 3, 2009

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

**SEQUOIA STONEBRIAR LEASECO,
LLC,**

Debtor.

§
§
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§
§
§

CASE NO. 09-35216-sgj-11

**AGREED ORDER GRANTING MOTION TO EXTEND TIME TO ASSUME OR
REJECT THE MASTER LEASE PURSUANT TO 11 U.S.C. § 365(d)(4)(B)**

CAME ON FOR CONSIDERATION the *Motion to Extend Time to Assume or Reject the Master Lease Pursuant to 11 U.S.C. § 365(d)(4)(B)* [Docket No. 96] (the “Motion”) filed by Sequoia Stonebriar LeaseCo, LLC (the “Debtor”) in the above-referenced bankruptcy cases.

The Court finds that due and adequate notice of the Motion was given upon the Debtor’s creditors as required by the Bankruptcy Code and/or the Federal Rules of Bankruptcy Procedure.

This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. The Court further finds that this proceeding is a core proceeding pursuant to 28 U.S.C. § 157. The Court

further finds that venue of this proceeding is proper in this district pursuant to 28 U.S.C. §§ 1408. It is therefore

ORDERED that the Motion is GRANTED. It is further

ORDERED that in accordance with § 365(d)(4) of the Bankruptcy Code, the period by which the Debtor must assume or reject the Master Lease is hereby extended through and including March 2, 2010 (the "Deadline"). It is further

ORDERED that the GK TICs (identified on Exhibit A) may terminate the Deadline at any time on ten (10) days' negative written notice to the Debtor's counsel sent via facsimile and email. The Deadline shall be deemed terminated as of the expiration of the 10 day negative notice period, absent further order of the Court. In the event of such notice of termination, the Debtor shall have the right to 1) object to termination of the Deadline and/or 2) file a motion seeking further extension of the time to assume or reject pursuant to 11 U.S.C. § 365(d)(4), not to exceed March 2, 2010, so long as Debtor schedules a hearing before this Court at a time prior to the expiration of the 10-day notice period, such hearing date being agreeable to counsel for the Debtor and the GK TICs and subject to the Court's docket. In the event of such hearing, the Debtor shall bear the same burden of demonstrating "cause" in accordance with § 365(d)(4) of the Bankruptcy Code to 1) prevent termination of the extension and/or 2) justify any further extension of the deadline to March 2, 2010. It is further

ORDERED that the deadline to file a proof of claim by the GK TICs is extended as provided herein and that GK TICs shall have up to and including January 29, 2010 to file any proof of claim in this matter.

END OF ORDER

Submitted by:

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**COUNSEL FOR SEQUOIA STONEBRIAR
LEASECO, LLC**

Agreed as to form and substance:

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COUNSEL FOR THE GK TICS

EXHIBIT A

**TENANT-IN-COMMON OWNERS OF SEQUOIA STONEBRIAR
REPRESENTED BY GREGORY KAPLAN, PLC**

Tenant-in-Common Owner	Principal(s)
Sequoia Stonebriar 1, LP	Alvin & Mavis Anderson
Sequoia Stonebriar 2, LP	Noel & Jill Novarro
Sequoia Stonebriar 3, LP	Lavaughn & Mary Boston
Sequoia Stonebriar 4, LP	Gary & Jean Jamison
Sequoia Stonebriar 5, LP	Raymond Polidor
Sequoia Stonebriar 7, LP	Stephen & Kathleen Novarro
Sequoia Stonebriar 8, LP	Thomas Hanan
Sequoia Stonebriar 9, LP	Linda Faye Vogt
Sequoia Stonebriar 10, LP	William & Elizabeth Jue
Sequoia Stonebriar 11, LP	Robert & Virginia Becker
Sequoia Stonebriar 12, LP	John Culver, III
Sequoia Stonebriar 13, LP	Deborah DeBow
Sequoia Stonebriar 14, LP	Lynn & Roy Blom
Sequoia Stonebriar 15, LP	David & Susan Rue
Sequoia Stonebriar 16, LP	Howard G. Brinkerhoff
Sequoia Stonebriar 17, LP	Ralph & Molly Wolveck
Sequoia Stonebriar 18, LP	Harvey & Lynn Friedlander
Sequoia Stonebriar 19, LP	Harry Delmer & Deborah Hecht
Sequoia Stonebriar 20, LP	John Wong
Sequoia Stonebriar 21, LP	Peter Wong
Sequoia Stonebriar 22, LP	Jefferson & Patricia Stillwell
Sequoia Stonebriar 23, LP	Allen & Joanne Geggatt
Sequoia Stonebriar 25, LP	Michael Maslow
Sequoia Stonebriar 27, LP	Cecil & Majorie Watts
Sequoia Stonebriar 28, LP	Edward & Ann LaFranchi
Sequoia Stonebriar 29, LP	Bruce Hart
Sequoia Stonebriar 30, LP	Cardyn Hart
Sequoia Stonebriar 31, LP	Deepak Mehra
Sequoia Stonebriar 32, LP	Sharon Merillat
Sequoia Stonebriar 33, LP	Anthony Olaes
Sequoia Stonebriar 34, LP	Nancy Smeets